



EDUCATION COMMISSION

OF THE STATES

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50-State Comparison

State K-3 Policies

What age exemptions or waivers exist for kindergarten entrance?

September 2020

Most states require kindergarten students to be age 5 by a certain cutoff date; however, there are several states that provide exemptions or waivers to these requirements.

The following information was gathered from state statutes and regulations only.

To view other data points, click [here](#).

STATE ▲	WHAT AGE EXEMPTIONS OR WAIVERS EXIST FOR KINDERGARTEN ENTRANCE?	CITATION
Alabama	Opt-out: Age 6, parental waiver.	Ala. Code § 16-28-30
Alaska	Not specified in statute or regulations.	
Arizona	Not specified in statute or regulations.	
Arkansas	Opt-out: Age 5, parental waiver, Any 6-year-old child who has not completed kindergarten must be evaluated to determine placement in kindergarten or first grade.	Code Ark. R. 005.15.2-11.0
California	Opt-in: Age 5, district decision - if governing board determines it is in best interest of child. Any child with a birthday falling between the previous December 2 cutoff date and the new cutoff in any year may be admitted to a transitional kindergarten program.	Cal. Educ. Code § 48000

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Colorado	Opt-in: Age 4 for gifted and talented	1 Colo. Code Regs. § 301-8:2220-R-12.08
Connecticut	Opt-in: Age 5, local board decision.	Conn. Gen. Stat. Ann. §10-184 Conn. Gen. Stat. Ann. §10-15c
Delaware	Not specified in statute or regulations.	
District of Columbia	Not specified in statute or regulations.	
Florida	Not specified in statute or regulations.	
Georgia	Opt-in: Age 5 by December 31, if student was a resident of another state for at least 2 years and was enrolled in kindergarten in that state	Ga. Code Ann., § 20-2-150
Hawaii	Not specified in statute or regulations.	
Idaho	Opt Out: Age 5, if the student has completed 450 hours of kindergarten in another state	Idaho Code Ann. § 33.201
Illinois	Opt-in: Age 5, local school board decision based on assessment.	105 Ill. Comp. Stat. Ann. 5/10-20.12
Indiana	Opt-in: Age 5, Districts may adopt a procedure for parental appeal. Once enrolled in school, a child falls under compulsory school law.	Ind. Code Ann. § 20-33-2-6 Ind. Code Ann. § 20-33-2-7
Iowa	Opt-out: Age 5-6, local boards may exclude children who are not sufficiently mature or are physically or mentally unable to attend school. Opt-out: Age 5-6, any child who demonstrates sufficient ability may enter grade 1 by December 31.	Iowa Code Ann. § 282.3
Kansas	Opt-in: Any child who was a resident of another state and attended kindergarten is eligible to enroll in kindergarten.	Kan. Stat. Ann. § 72-3118
Kentucky	Opt-out: Age 6-7, if enrolled in a private kindergarten-nursery school. Opt-out: Age 5-6, a child may enter grade 1 if local board determines she/he has acquired the skills taught in kindergarten.	Ky. Rev. Stat. Ann. § 159.030 Ky. Rev. Stat. Ann. § 158.031

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Louisiana	<p>Opt-in: Age 5, per state gifted evaluation regulations.</p> <p>Opt-out: A child may skip kindergarten if she/he demonstrates grade 1 readiness per local screenings. Any student from out of state who doesn't meet the kindergarten requirement must pass a readiness screening. If a student enrolls in school before the age of 7, she/he is subject to the compulsory attendance law.</p>	La. Stat. Ann. § 17:151.3 La. Stat. Ann. § 17:221
Maine	<p>Opt-in: any student who enrolled in kindergarten in another state may enroll in kindergarten.</p> <p>Opt-out: any student who enrolled in grade 1 or completed kindergarten and was promoted in another state, may enter grade 1.</p>	Me. Rev. Stat. tit. 20-A, § 5201
Maryland	<p>Opt-in Age 4: local board decision that a child demonstrates capabilities warranting admission to kindergarten.</p> <p>Opt-in Age 5: A child may be exempted from attending kindergarten if a parent or guardian of the child files a written request with the local school system and verifies that the child is enrolled in a licensed care facility, registered family care home or 5 year old Head Start Program</p>	Md. Code Ann., Educ. § 7-301 Md. Code Regs. 13A.08.01.02
Massachusetts	Not specified in statute or regulations.	
Michigan	Opt-in: Children who will be 5 by December 1 may be enrolled at parents' request, but the district can make a recommendation about the child's readiness	Mich. Comp. Laws Ann. § 380.1147
Minnesota	Opt-in: Age 5, local board may establish a policy for early admission	Minn. Stat. Ann. § 124D.05
Mississippi	Opt-in: Age 5 after September 1, if a student was a resident of another state and attended at least 4 weeks of kindergarten, he/she may enroll in kindergarten	Miss. Code. Ann. § 37-15-9
Missouri	Opt-in: Age 5 by October 1, if a child begins kindergarten in a metropolitan district and subsequently transfers to another district, he/she can enroll in the new district without meeting the age requirement.	Mo. Ann. Stat. § 160.053
Montana	Opt-in: Age 5, decision from board of trustees	Mont. Code Ann. § 20-7-117
Nebraska	<p>Opt-out: Age 6, a parent must file a waiver if his/her child does not enroll in kindergarten or grade 1.</p> <p>Opt-out: Age 7, a child who passes a grade 1 readiness assessment can skip kindergarten.</p> <p>Opt-out: A child who completed kindergarten or enrolled in grade 1 in another state may enroll in the grade she/he was attending.</p>	Nev. Rev. Stat. Ann. § 392.040

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Nevada	<p>Opt-out: Age 6, a parent must file a waiver if his/her child does not enroll in kindergarten or grade 1.</p> <p>Opt-out: Age 7, a child who passes a grade 1 readiness assessment can skip kindergarten.</p> <p>Opt-out: A child who completed kindergarten or enrolled in grade 1 in another state may enroll in the grade she/he was attending (Opt-out: Age 6, a parent must file a waiver if his/her child does not enroll in kindergarten or grade 1).</p> <p>Opt-out: Age 7, a child who passes a grade 1 readiness assessment can skip kindergarten.</p> <p>Opt-out: A child who completed kindergarten or enrolled in grade 1 in another state may enroll in the grade she/he was attending.</p>	
New Hampshire	Not specified in statute or regulations.	
New Jersey	Opt-in: Age 5, local school board decision	N.J. Admin. Code § 18A:38-5
New Mexico	Not specified in statute or regulations.	
New York	<p>Universal Prekindergarten Programs: Opt-in at age 4 on or before December 1.</p> <p>District Exceptions: Syracuse, New York City, Rochester, Utica, Buffalo, Cohoes, Watervliet and Yonkers school districts are authorized to mandate children who are 5 years of age on or before December 1 to attend kindergarten.</p>	N.Y. Comp. Codes R. & Regs. tit. 8, § 151-1.2 N.Y. Educ. Law § 3205
North Carolina	<p>Opt-in: Age 5 on or before August 31 if the child has attended school that school year in another state.</p> <p>Opt-in: Age 5, a child who initially enters kindergarten can enter grade 1 if the principal deems the child would be better served in grade 1.</p> <p>Opt-in: Age 4 on or before April 16, may enter kindergarten if the parent presents information to the principal that the child is gifted.</p>	N.C. Gen. Stat. Ann. § 115C-364
North Dakota	<p>Opt-in: Age 5 before December 1, if a child is enrolled previously in an approved kindergarten.</p> <p>Opt-in: Age 5 before December 1, if a child passes a district-approved developmental and readiness screening.</p>	N.D. Cent. Code Ann. § 15.1-22-02

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Ohio	<p>Opt-in: Age 5 if a child is favorably evaluated for early admittance after referral from parent or guardian or qualified personnel.</p> <p>Opt-in: Age 5 if a child is enrolled in kindergarten in another district and transfers.</p> <p>Opt-out: Age 6, if a child is favorably evaluated for early admittance to grade 1 after referral from a parent or educator. If a student enrolls in school before the age of 6, he/she is subject to the compulsory attendance law.</p> <p>Opt-in: Prior to age 5 if a child is in accordance with model student acceleration policies developed by districts.</p>	<p>Ohio Rev. Code Ann. § 3321.01 Ohio Rev. Code Ann. § 3324.10</p>
Oklahoma	Opt-out - Parental waiver	Okla. Stat. Ann. tit. 70, § 10-105
Oregon	Opt-in: Age 5, if the child's cognitive, social and physical development would be best met in a school program.	Or. Rev. Stat. Ann. § 336.095
Pennsylvania	District decision: If a child is less than 5 years and 7 months of age before September 1, the district may admit the student in accordance with standards established by the State Board of Education to the lowest primary grade offered. Districts may refuse children who have not attained a mental age of 5 years old as determined by the supervisor of special education or public school psychologist.	24 Pa. Stat. Ann. § 13-1304
Rhode Island	None: All students must complete a state recognized kindergarten program in order to be eligible for the first grade.	16 R.I. Gen. Laws Ann. § 16-2-28
South Carolina	<p>Opt-in: Age 5, if the student substantially initiated a public school kindergarten program in another state that has a different attendance age requirement from South Carolina.</p> <p>Opt-in: Age 6, if the student is substantially initiated grade 1 in another state or completed one year of a public school kindergarten program.</p> <p>Opt-out: Age 6, parental waiver may allow a student to postpone school entry until age 6.</p>	<p>S.C. Code Ann. § 59-65-10 S.C. Code Ann. § 59-63-20</p>
South Dakota	<p>Opt-in: Age 5, if the child was enrolled in kindergarten and transfers from another state.</p> <p>Opt out: if the child is an out of state transfer who did not attend kindergarten may proceed in appropriate grade.</p>	<p>S.D. Codified Laws § 13-28-2 S.D. Codified Laws § 13-27-1</p>

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Tennessee	<p>Opt-in: Student who is not age 5 until after December 31 shall not enter school during that school year; unless school district allows mid-year entrance and a child becomes 5 years of age within 60 days following the opening of the semester.</p> <p>Opt-in: At the request of the child's parent or legal guardian, a student Age 5 on or before September 30 may be permitted to enter kindergarten.</p>	<p>Tenn. Code Ann. § 49-6-3001 Tenn. Code Ann. § 49-6-201</p>
Texas	<p>Opt-in: Age 5, the student performs satisfactorily on the third grade assessment and the district has a policy for admitting students younger than 5.</p> <p>Opt-out: Age 6, a child who completed kindergarten or enrolled in grade 1 in another state may enter appropriate grade level.</p>	<p>Tex. Educ. Code Ann. § 42.003 Tex. Educ. Code Ann. § 25.085</p>
Utah	Not specified in statute or regulations.	
Vermont	Not specified in statute or regulations.	
Virginia	<p>Opt-in: if the student reaches age 5 between October 1 and December 31 of the school year, in districts that offer any two-tiered, junior or other developmentally appropriate pre-kindergarten program or transitional first grade, and demonstrates school readiness on an assessment.</p> <p>Opt-out: Age 6, a 5-year-old child may enroll in any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.</p> <p>Opt-out: Age 6, parental waiver to children who are not mentally, physically, or emotionally prepared to attend kindergarten.</p>	<p>Va. Code Ann. § 22.1-199 Va. Code Ann. § 22.1-254</p>
Washington	<p>Opt-in: Age 5, local board decision based on a screening process that measures ability and/or need of an individual student to succeed in earlier learning.</p> <p>Opt-in/out: Military families may enroll their child at the grade level attend prior to entering Washington school</p>	<p>Wash. Admin. Code 392-335-025 Wash. Rev. Code Ann. § 28A.225.160</p>
West Virginia	<p>Opt-in Age 5: local school board may provide advanced entrance or placement test for children that have demonstrated sufficient mental and physical competency for such entrance or placement.</p> <p>Opt-out Age 6: A child may be removed from such kindergarten program when the principal, teacher and parent or guardian concur that the best interest of the child would not be served by requiring further attendance</p> <p>Out out: An entrance test may be administered in lieu of kindergarten attendance for students only under extraordinary circumstances to be determined by the county board</p>	W. Va. Code Ann. § 18-8-1a

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Wisconsin	Opt-in Age 5: Districts must develop procedures, conditions and standards for early admission to kindergarten.	Wis. Stat. Ann. § 120.12 Wis. Stat. Ann. § 118.15
Wyoming	Opt-in: Age 6 on or before September 15	Wyo. Stat. Ann. § 21-4-302